

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

WENDY BOLDUC,
Plaintiff,

v.

Case No. 12-C-0899

**MILWAUKEE BOARD OF SCHOOL
DIRECTORS,**
Defendant.

ORDER

On July 29, 2014, I granted the defendant's motion for summary judgment on the plaintiff's federal claim for bankruptcy discrimination and relinquished supplemental jurisdiction over the plaintiff's state-law claims. The Clerk of Court entered judgment dismissing this case. The judgment stated that the plaintiff's federal claim for bankruptcy discrimination was dismissed on the merits and that the plaintiff's supplemental state-law claims were dismissed without prejudice. On October 10, 2014, the parties filed a joint motion to dismiss this case with prejudice and without costs. The reason for this motion is that the defendant has agreed to waive costs if the plaintiff does not pursue this case further and does not refile her state-law claims in state court. Essentially, the parties wish to change my dismissal of the state-law claims to a dismissal with prejudice and to make clear that the defendant is not entitled to costs.

Having already entered a judgment in this case and relinquished jurisdiction over the state-law claims, I am uncertain whether I have authority to grant the parties' motion. The parties do not cite any rule that would allow me to do so. But I suppose the parties' motion could be granted under Federal Rule of Civil Procedure 60(b)(6), which states that

a court may set aside a judgment for any reason that justifies doing so. Here, the parties' agreement to change the disposition of this case qualifies as a reason for setting aside the judgment. Therefore, I will set aside the original judgment and dismiss all claims with prejudice and without costs to either party.

For the reasons stated, **IT IS ORDERED** that the parties' joint motion to dismiss with prejudice is **GRANTED**. The judgment entered on July 29, 2014 is **VACATED** and it is hereby ordered that all claims in this case are dismissed with prejudice and without costs to either party.

Dated at Milwaukee, Wisconsin, this 17th day of October, 2014.

s/ Lynn Adelman

LYNN ADELMAN
District Judge